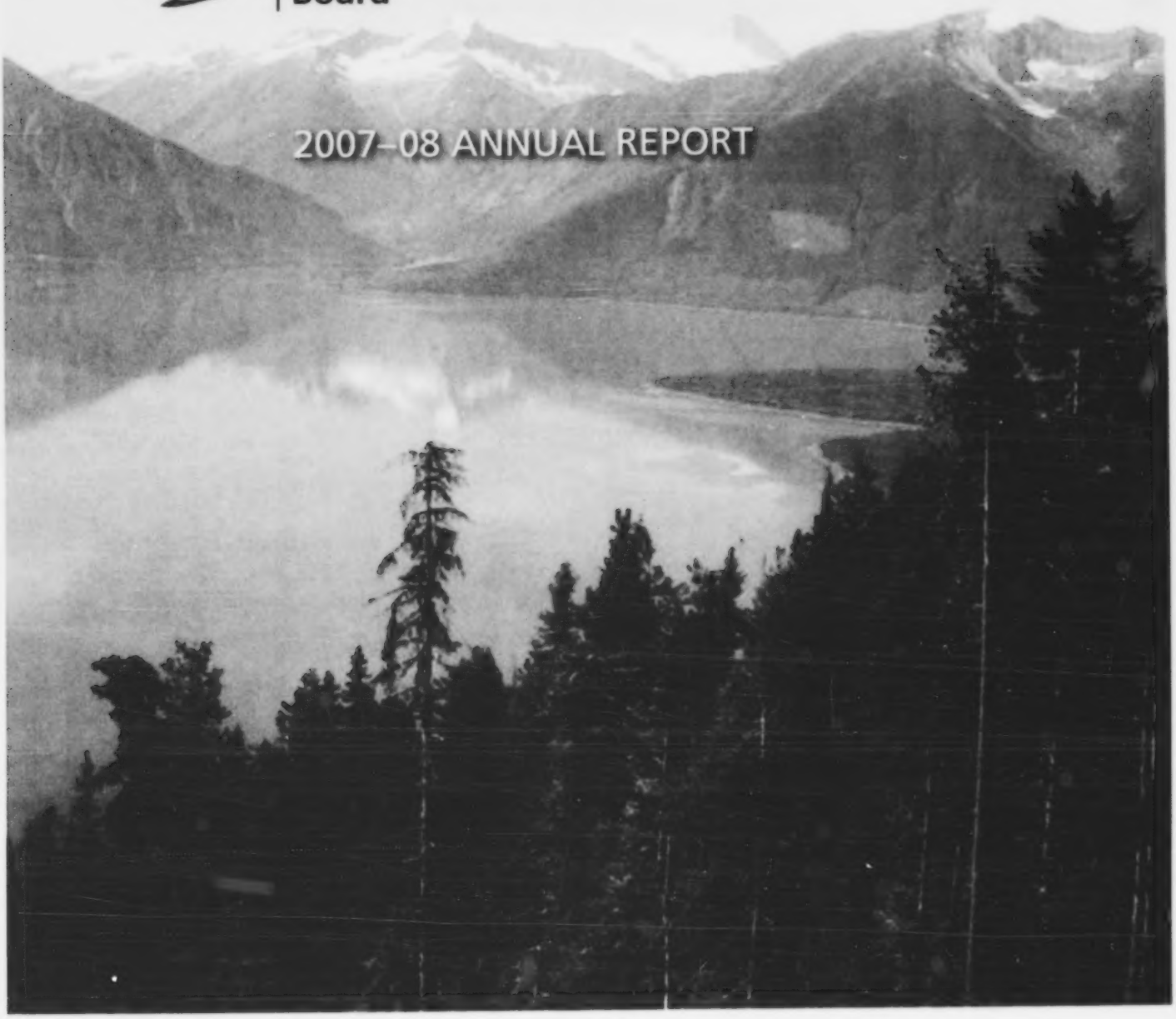
Forest Practices Board

2007–08 ANNUAL REPORT



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MESSAGE FROM THE CHAIR

The current pressures on BC's forest industry are unprecedented and the economic and social fallout is significant. In the face of companies struggling, and some failing, to survive, the Board is pleased to find in our work that forest practices are not suffering as a result of economic difficulties, and legal requirements continue to be met. So far, we have also found that reforestation and road maintenance obligations left behind by those licence holders that did not survive are being met by other companies or government.

Climate change is one of the main issues now dominating the forest sector in BC. The most obvious example is the impact of the mountain pine beetle, and the rehabilitation effort in decimated forests. We are also hearing more concerns about water supply, impacts to wildlife habitat, wildfire risk and other climate change related effects. The Board is monitoring the efforts of government agencies to look at how to replant, what to replant and how to ensure resilience of our forests in the future.

One of the key issues the Board sees for the future is the overlapping impacts of other resource users on the forest landbase that industry and government are responsible for managing. The Board is tracking government efforts to deal with cumulative environmental impacts and to look at multiple human footprints on the same landbase, not just forestry.

This annual report provides an overview of the work done in 2007/08. We also have a much more complete online annual report that expands on the information provided in this printed report and we encourage you to view the full report on our website at **www.fpb.gov.bc.ca**.

Bruce Fraser, PhD
Chair

BOARD MEMBERS

From left to right, **Dr. Bruce Fraser** (Chair), **David Mannix**, **Dr. Rachel F. Holt**, RPBio, **John Dunford**, RPF, **Mark Haddock**, LL.B., **Debbie Zandbelt**, RPF, **Guenter Stahl**, RPF, **Dr. Geoff Battersby**, MD (Vice-Chair)

denotes that a video by the Chair, (Board Member and Director), is available on the web-based version of this Annual Report.

denotes that more information on this topic is available on the web-based version of this Annual Report.

FINANCIALS

	Board Members & Executive	Complaint Investigations	Audits	Legal	Special Projects/ Communications	Adiministration/ Overhead	Total
Salaries and Benefits	**$ 312,015**	**$ 436,658**	**$ 513,785**	**$ 232,196**	**$ 419,260**	**$ 271,352**	**$ 2,185,266**
Other Operating Costs	205,042	64,147	420,801	14,550	250,782	618,787	1,574,109
Total Operating Expenditures	**$ 517,057**	**$ 500,805**	**$ 934,586**	**$ 246,746**	**$ 670,042**	**$ 890,139**	**$ 3,759,375**
Total Capital Expenditures							125,000
Total Expenditures							**3,884,375**
Budget							**$ 3,886,000**

Notes:

1. "Board Members and Executive" expenditures cover those of the Chair of the Board, the part-time Board members, the office of the Executive Director, and staff providing direct support to the Board members.
2. "Legal" expenditures covers legal advice on all files of the Board, including review and appeals.
3. "Administration and Overhead" includes building occupancy charges, amortization, software licensing, centralized support charges, and salaries associated with support for finance, human resources and information systems.
4. Communications costs are estimated at $200,000.

MESSAGE FROM DIRECTOR

Given the proliferation of environmental and sustainable forest management systems, coupled with low-risk areas of operations in some areas of the province, the Board decided in 2007 to redirect its audit emphasis from fully random selection of auditees to a modified random sample approach. This allows us to focus our audit effort on issues of greater interest and benefit to the public.

In 2007, six forest districts across the province were randomly selected as the location for a Board audit. Once the forest district was selected, auditors reviewed the forest resources, geographic features, operating conditions and other factors in the district selected. These factors were considered in conjunction with Board strategic priorities to identify the type of audit that would be carried out. One example is an audit done in the Robson Valley, where we looked at the obligations left behind by two forest licences that had run into financial difficulties.

We anticipate that this new approach will make our audit reports more relevant, valuable and of greater interest to the public because they will focus our work on the issues of most significance to forest management.

Chris Mosher
Director

ACCOMPLISHMENTS

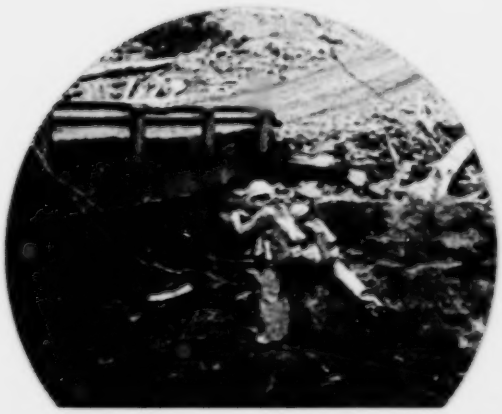
- 12 audit reports published
- 10 new audits started

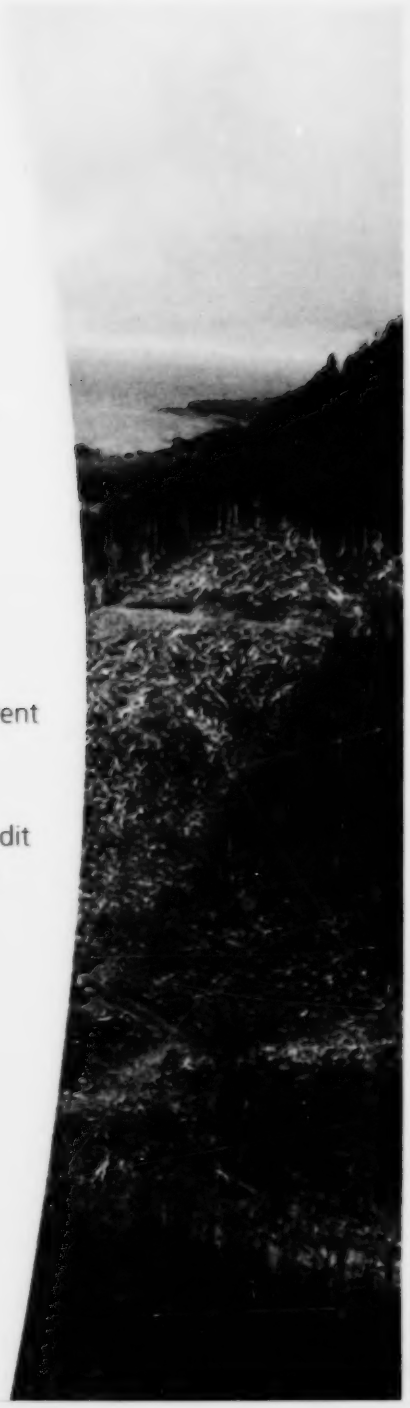
Activities audited in 2007/08

- Harvesting on 477 cutblocks
- 305 kilometres of road construction
- 3,569 kilometres of road maintenance
- 163 kilometres of road deactivation
- 442 bridges constructed and/or maintained
- Silviculture activity on 284 cutblocks
- Fire protection activities on nine active sites

PRIORITIES

- Develop an updated audit reference manual to reflect the Board's current audit process under the *Forest and Range Practices Act*.
- Increase focus on audits of government enforcement.
- Continue use of modified random sample selection that allows the audit program to focus on specific forest resources, geographic features or operating conditions that align with the Board's strategic priorities.





AUDITS STARTED

Burns Lake Community Forest Ltd. – Community Forest Agreement K1A, Nadina Forest District – *Compliance Audit*
Small Scale Salvage Program, Kamloops Forest District – *Compliance Audit*
Louisiana-Pacific Canada Ltd./Downie Timber Ltd./BCTS – Okanagan Columbia TSO, Columbia Forest District – *Soil Conservation Pilot Audit*

AUDIT REPORTS PUBLISHED

Multi-Value Pilot Audit: Kazchek Operating Area Fort St. James Forest District – *The Board determined that current forest practices are effective at minimizing impacts to soils, stream riparian management and biodiversity.*
Audits with all practices in compliance and with no recommendations from the Board.
Audit of Timber Harvesting and Road Construction, Maintenance and Deactivation of Sunshine Coast Licensees
Audit of Forest Planning and Practices, Triumph Timber Ltd. – Forest Licence A16820
Audit of Forest Planning and Practices on Nisga'a Lands
Forestry Audit: British Columbia Timber Sales Kootenay Lake
Audit of Timber Harvesting and Associated Planning: Western Forest Products Ltd. TFL 6
Audit of Road Maintenance and Silviculture Obligation: Carrier Lumber Ltd. – RFL A15429 and A15430
Audit of Timber Harvesting, Road Construction, Maintenance and Deactivation: Sigurdson Bros. Logging Company Ltd. – NRFL A73558
Audit of Timber Harvesting, Road Construction, Maintenance and Deactivation: Yun Ka Whu'ten Holdings Ltd. – NRFL A56804
Forestry Audit: British Columbia Timber Sales Kamloops Business Area (Clearwater Field Unit)
Audit of Timber Harvesting, Road Construction, Maitenance and Deactivation: Carrier Lumber Ltd. – ***Area of improvement: Bridge construction practices require improvement***
Audit of Forest Planning and Practices: Arrow Boundary Forest District Woodlots – *Area of improvement: Silviculture practices in one woodlot require improvement*

MESSAGE FROM DIRECTOR

This year, we took a more active role in trying to help members of the public determine who to call in government to deal with issues. In previous years, we only dealt with inquiries if they clearly concerned forest or range practices – those were dealt with as "concerns." If a complaint was formally filed, some of those concerns became "complaints." This year, we began to respond to, and keep track of, actions taken to help in matters that were not clearly forest or range practice issues. Those types of inquiries are called "inquiries." Thus, whereas we reported the number of concerns and complaints in previous years, we are now acting in response to inquiries, concerns and complaints.

Ben van Drimmelen
Director

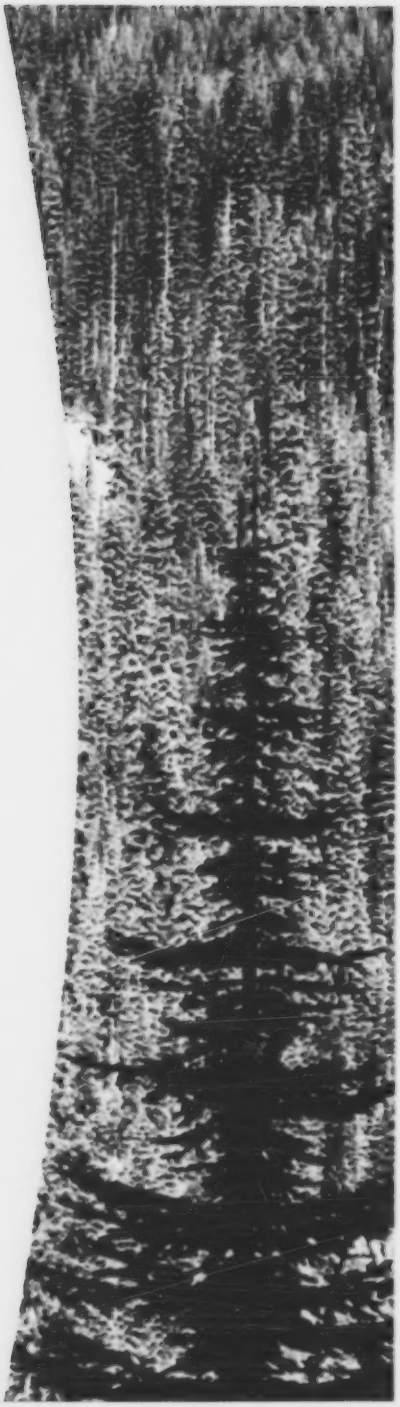
ACCOMPLISHMENTS

- 15 inquiries addressed
- 25 concerns addressed
- 15 complaints investigated
- 13 complaints completed and reports published
- 1 complaint resolved

PRIORITIES

The section's priorities for the coming year are to continue to implement and adjust procedural changes that were identified in the complaint investigation review, including:

- increase efforts to resolve complaints
- timely reporting
- focus on identifying and investigating issues that are important to the participants
- follow-up on all complaints after they are completed.



COMPLAINTS RECEIVED

Biodiversity in the Interior Cedar-Hemlock Forests Near Dome Creek – Prince George Forest District
Construction of a Logging Road Near Woodward Creek – South Island Forest District
Forest Practices in the Leet Creek Watershed, near Kaslo, BC – Kootenay Lake Forest District
McBride Community Forest – Headwaters Forest District
Woodlot Salvage Permit Policy and the Effects on Managing Forest Health – Central Cariboo Forest District
French Road Cattle – Quesnel Forest District
Forest Practices in Hazardous Terrain and Domestic Water Use – Okanagan Shuswap Forest District
Cutblocks and Roads near Furlong Creek – Kalum Forest District
Government Enforcement and the Due Diligence Defence – Province-wide
Maiyoo Keyoh – Fort St. James Forest District
Logging in the Blackwater Pine Mushroom Management Area, Harm to Spotted Owl Habitat – Squamish Forest District
File closed, not in the Board's jurisdiction to investigate
Schooner Cove Woodlots – South Island Forest District
Dakota Ridge Recreation – Sunshine Coast Forest District
Woodlot Cut Control – Province-wide
Woodlot 661 – Prince George Forest District

COMPLAINT REPORTS PUBLISHED

Beetle Salvage Impacts on Guide Outfitters

- *The Board recommends that government should approve proposed new or updated strategic plans, and the associated proposed* Forest and Range Practices Act *objectives, in areas where the harvest levels have increased, to deal with the MPB epidemic.*

COMPLAINT REPORTS PUBLISHED *...continued*

Government Enforcement and the Due Diligence Defence The Board recommends: 1. *Compliance and enforcement (C&E) investigators who are investigating a suspected contravention should, in most cases, interview the individuals who have first-hand knowledge of the contravention as soon after the incident as is practical.* 2. *In situations where there is a potential for the due diligence defence to be used based on the existence of an environmental management system or standard operating procedures, C&E investigators and district managers bear in mind that due diligence also requires the licensee to:* • *establish a proper system to prevent commission of the offence; and,* • *take reasonable steps to ensure the effective operation of the system.* 3. *C&E investigators who are preparing information for an opportunity to be heard routinely consider including an analysis of due diligence and mistake of fact, as well as all relevant information from any first-hand witnesses.*
Woodlot Harvesting and Red-listed Plant Communities in the Coastal Douglas-fir Ecosystem of Vancouver Island – *The Board recommends that government promptly finalizes and implements an overall stewardship strategy for the coastal Douglas-fir ecosystem and communicates its strategy to the public.*
Watershed Protection at Anderson Lake – *The Board recommends that the Ministry of Environments act promptly to decide for or against approval of the complainant's outstanding and long-delayed community watershed application, and that it advises the complainant of its decision in writing.*
Reports with no recommendations from the Board.
Closing Letter: Report on Complaint – File 070791/French Road Cattle
Logging in the Blackwater Pine Mushroom Management Area
Forest Practices in Hazardous Terrain and Domestic Water Use
First Nations Interests and the Approval of Forest Harvesting near Ucluelet, BC
Eagle Creek Pine Salvage
Transfer of Planning Objectives under FRPA: Stillwater Timberlands
Cutblocks and Roads near Furlong Creek
Mountain Pine Beetle Harvesting in the Stake Lake Cross Country Ski Area
Protection of Deer Habitat at Anderson Lake

MESSAGE FROM DIRECTOR

One of the Board's roles is to participate in appeals before the Forest Appeals Commission. We can participate in an appeal where a forest company has been found in non-compliance and decides to appeal the penalty that government imposes. In these cases, the Board provides a public interest perspective that may not be presented by the government or the company. Our submissions are based on our expertise and experience gained through our work.

The Board also has the right to appeal a government official's decision to approve a forest stewardship plan. If the public asks us to request such an appeal, we will consider it. However, the legislation provides limited grounds for appeal – the plan must not have been prepared in compliance with the legislation.

This role is very different from the neutral independent role the Board takes in audits and complaint investigations. In appeals, the Board takes an advocacy role on behalf of the public, and the Forest Appeals Commission is the neutral body that makes the final decision. This role was given to the Board to provide a means for the public to have input to the appeals process without giving members of the public a direct right to participate. The Board vets any public requests and only gets involved if there is a strong public interest in doing so.

John Pennington
Director

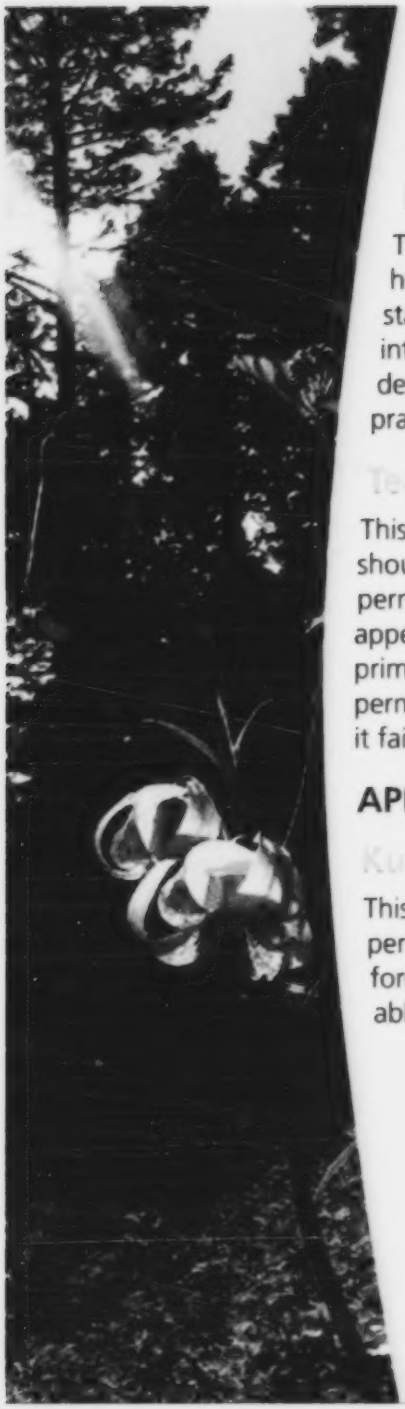
ACCOMPLISHMENTS

- 94 determinations examined
- 7 appeals examined
- 1 appeal joined
- 2 appeals in progress
- 1 appeal concluded

PRIORITIES

The Board will continue to monitor appeals to the Forest Appeals Commission. It will participate in future appeals if the Board's participation would:

- help to improve forest management
- help to sustain public confidence in forest management
- encourage fair and consistent application of the law
- provide clarification or interpretation of important sections of the law.



APPEALS IN PROGRESS

Pope & Talbot Trespass

This appeal concerns how diligent a forest company must be to avoid having its employees or contractors harvest trees that are to be left standing to protect non-timber values. The Board is seeking to act as an intervenor in BC Supreme Court to present arguments concerning how the defence of due diligence should be interpreted and applied in the forest practices context.

Teardrop Road Maintenance

This appeal concerns whether a road use permit holder or the government should pay the cost of replacing an old, deteriorated pipe culvert with a permanent bridge. The Board is a party to this Forest Appeals Commission appeal and plans to argue that government, as the owner of the road, has primary responsibility. The appeal may also consider how much diligence the permit holder had to exercise in detecting the culvert deterioration before it failed.

APPEALS CONCLUDED

Kucera Enforcement

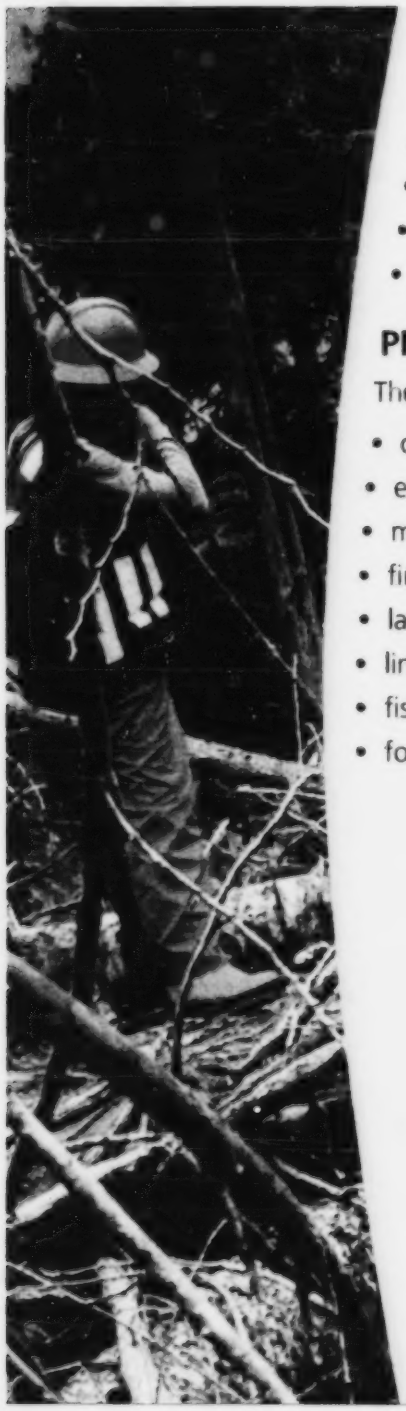
This appeal concerned whether a woodlot owner had been excessively penalized for carrying out operations on the woodlot that, while good forest management, were not authorized by government. The parties were able to negotiate a compromise that resolved the appeal without a hearing.

MESSAGE FROM DIRECTOR

The special projects program allows the Board to choose the issues it wishes to examine, rather than simply responding to an audit finding or a public complaint. In deciding which projects to carry out, the Board pays attention to what the current public and professional concerns about forest management are. We try to focus our efforts on issues where there is an opportunity to encourage continuous improvement and we try to avoid duplicating the work of other agencies.

Two of the reports completed this year were done in response to public and professional concerns. One examined the harvesting of non-pine species in mountain pine beetle salvage operations. Another report examined the issue of "high-grading" on the coast. Both of those reports are examples of issues the Board investigated in response to public and professional concerns. The issues both required a more in-depth examination to see what was really happening on the ground and whether or not the issues were significant ones that warrant improvement.

Darlene Oman
Director



ACCOMPLISHMENTS

- 5 special investigations completed
- 1 special report completed
- 4 new projects started

PRIORITIES

The following ongoing projects will be completed this year:

- compliance inspections and management
- establishment of spatial conservation areas in Squamish and Chilliwack
- marbled murrelet conservation on the Sunshine Coast
- final report on fire hazard assessment and abatement
- landslides on Vancouver Island
- link between higher-level plans and forest operations
- fish passage at stream crossings
- forest retention in mountain pine beetle salvage logging.

SPECIAL PROJECTS STARTED

Cumulative effects over time of multiple developments in Northeastern BC on three forest values: water, caribou and soils
Range use and range stewardship plans
Landslides on Vancouver Island
Fish passage at stream crossings

SPECIAL REPORTS AND SPECIAL INVESTIGATIONS PUBLISHED

Special Report

Tree Species Harvested In Areas Affected By Mountain Pine Beetles

– *The Board recommends that the Ministry of Forests and Range develop and implement protocols for monitoring species profile of harvest that will enable district-level managers and provincial-level policy makers to incorporate appropriately detailed information in their decision-making processes. This protocol needs to address both the topics examined in this investigation and the issues raised by the investigation.*

Special Investigations

High Retention Harvesting and Timber Sustainability on the British Columbia Coast

The Board recommends:

1. *The Ministry of Forests and Range should provide strategic direction to guide licensees on appropriate approaches for high amounts of retention, based on clear strategic objectives for the full range of values over time, including timber species/values.*
2. *In addition, the Association of BC Forest Professionals should provide guidance to members to ensure they are using appropriate professional diligence in the design of high retention silvicultural prescriptions on the coast.*
3. *The Ministry of Forests and Range should require clear, achievable and measurable up-front targets for post-harvest retention levels. Retention stocking standards must be designed so they can be audited for compliance, and monitored for effectiveness.*
4. *The Ministry of Forests and Range should develop policy about 'opportunity cuts' with no expectations of future yield (and therefore no silvicultural system) which should be considered, for example, in areas constrained from harvest due to other objectives, such as slope stability concerns.*

Reports with no recommendations from the Board.

The Effect of Range Practices on Grasslands: A test case for upper grasslands in the south central interior of British Columbia

Special Investigation of Fire Hazard Assessment and Abatement

Road Sediment Entering Fish Streams: Learning from the Little Lamb Creek Experience

Amending Prescriptions for Achieving Free-growing Forests

WEBSITE AND NEW LOGO

This year the communications team undertook some interesting initiatives in order to keep up with a changing communications landscape. As digital technology becomes the medium of choice for people, we saw an opportunity to upgrade the way we deliver information. We did a subtle redesign of our logo, making it cleaner, more identifiable and more businesslike. We also redesigned our website, changing from static pages to active ones (dynamic web) that interface more readily with other applications. Finally, we made the decision to move away from the traditional book-based annual report, choosing instead to present our report as an interactive, web-based presentation with this accompanying "highlights" booklet.

Forest Practices Board

Breakdown of Website Visitors

PUBLICATIONS

Date	Title
Audit reports	
Mar-08	Forestry Audit: British Columbia Timber Sales Kamloops Business Area (Clearwater Field Unit)
Feb-08	Audit of Timber Harvesting, Road Construction, Maintenance and Deactivation – Yun Ka Whu'ten Holdings Ltd. – NRFL A56805
Feb-08	Audit of Timber Harvesting, Road Construction, Maintenance and Deactivation – Sigurdson Bros. Logging Company Ltd. – NRFL A73558
Jan-08	Audit of Road Maintenance and Silviculture Obligations – Carrier Lumber Ltd. – RFL A15429 and RFL A15430
Jan-08	Audit of Forest Planning and Practices – Arrow Boundary Forest District Woodlots – Woodlot licensees W0408, W0475, W0479, W1470, W1832
Jan-08	Audit of Timber Harvesting and Associated Planning – Western Forest Products Inc. – TFL 6
Dec-07	Forestry Audit: British Columbia Timber Sales Kootenay Lake
Jul-07	Audit of Timber Harvesting, Road Construction, Maintenance and Deactivation – Carrier Lumber Ltd. – NRFL A70174
Jul-07	Multi-Value Pilot Audit – Kazchek Operating Area – Fort St. James Forest District
May-07	Audit of Forest Planning and Practices on Nisga'a Lands
May-07	Audit of Forest Planning and Practices Triumph Timber Ltd. – FL A16820
Apr-07	Audit of Timber Harvesting and Road Construction, Maintenance and Deactivation • International Forest Products Ltd. – FL A19220 • Terminal Forest Products Ltd. – FL A19229 • F.A.B. Logging Co. Ltd. – TSL A20492 • Northwest Hardwoods (a division of Weyerhaeuser Company Ltd.) – NRFL A47297 • 9096 Investments Ltd. (affiliated with Homalco First Nation)

Date	Title
Complaint reports	
Mar-08	Closing Letter: Report on Complaint – File 070791 / French Road Cattle
Mar-08	Beetle Salvage Impacts on Guide Outfitters
Feb-08	Logging in the Blackwater Pine Mushroom Management Area
Dec-07	Forest Practices in Hazardous Terrain and Domestic Water Use
Dec-07	Government Enforcement and the Due Diligence Defence
Dec-07	First Nations Interests and the Approval of Forest Harvesting near Ucluelet, B.C.
Nov-07	Eagle Creek Pine Salvage
Nov-07	Transfer of Planning Objectives under FRPA: Stillwater Timberlands
Oct-07	Cutblocks and Roads near Furlong Creek
Sep-07	Woodlot Harvesting and Red-listed Plant Communities in the Coastal Douglas-fir Ecosystems of Vancouver Island
Sep-07	Mountain Pine Beetle Harvesting in the Stake Lake Cross Country Ski Area
Jun-07	Protection of Deer Habitat at Anderson Lake
Apr-07	Watershed Protection at Anderson Lake
Special reports and special investigation reports	
Jan-08	High Retention Harvesting and Timber Sustainability on the British Columbia Coast
Jul-08	The Effect of Range Practices on Grasslands
Summer 2007	Interim Report: Special Investigation of Fire Hazard Assessment and Abatement
Jun-07	Road Sediment Entering Fish Streams: Learning from the Little Lamb Creek Experience
Jun-07	Amending Prescriptions for Achieving Free-growing Forests
Nov-07	Tree Species Harvested in Areas Affected By Mountain Pine Beetles
Bulletins	
Jun-07	Ecosystem Services and British Columbia's Forest and Range Lands
Jun-07	Fort St. John Pilot Project – Results-based Legislation that works

Forest Practices Board

2007–2008 ANNUAL REPORT

3rd Floor, 1675 Douglas Street
PO Box 9905, Stn Prov Govt
Victoria, BC, Canada V8W 9R1

Toll-free 1-800-994-5899
Tel 250-387-7964
Fax 250-387-7009
www.fpb.gov.bc.ca

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